

8. (i.) When any person is convicted of an offence against this Act, the Court before which he is convicted may, either in addition to or in lieu of any punishment provided for the offence, require him to enter into recognisances with or without sureties to comply with the provisions of the regulations or order in relation to which the offence was committed.

(ii.) If any person fails to comply with an order of the Court requiring him to enter into recognisances, the Court may order him to be imprisoned for any term not exceeding six months.

9. If any question arises on any proceedings under any order made in pursuance of this Act, or with reference to anything done or proposed to be done under any such order, whether any person is an alien or not, or is an alien of a particular class or not, the onus of proving that that person is not an alien, or, as the case may be, is not an alien of that class, shall lie upon that person.

10. The Governor-General may, by order published in the *Gazette*, revoke, alter, or add to any order made in pursuance of this Act as occasion requires.

11. All powers given under this Act, or under any instrument issued in pursuance of this Act, shall be in addition to and not in derogation of any other powers exercisable apart from this Act.

2. Enemy Contracts Annulment Act.—This Act was passed by the Commonwealth Government, and assented to on the 24th May, 1915. The following are the provisions of the Act :—

1. This Act may be cited as the *Enemy Contracts Annulment Act* 1915.

2. In this Act, “enemy subject” means—

- (a) Any person who is an enemy within the meaning of any Proclamation relating to trading with the enemy made by the King or the Governor-General and published in the *Gazette*, or
- (b) Any person, firm, or company, the business whereof is managed or controlled, directly or indirectly, by or under the influence of enemy subjects, or is carried on wholly or mainly for the benefit or on behalf of enemy subjects, notwithstanding that the firm or company may be registered or incorporated within the King’s dominions.

3. (i.) In this section, “enemy contract” means any contract—

- (a) To which an enemy subject is a party, or
- (b) In which an enemy subject has, in the opinion of the Attorney-General, a material interest, or
- (c) Which is or is likely to be for the benefit of enemy subjects or of enemy trade.

(ii.) Any party to a contract may file with the Attorney-General of the Commonwealth a copy of the contract, and apply to the Attorney-General of the Commonwealth for a declaration that the contract is or is not an enemy contract within the meaning of this section.

(iii.) If the Attorney-General declares that the contract is an enemy contract, then, upon the publication of his declaration in the *Gazette*, the contract shall be deemed to be an enemy contract.

(iv.) If the Attorney-General declares that the contract is not an enemy contract, then, upon the publication of his declaration in the *Gazette*, the contract shall be deemed not to be an enemy contract.

(v.) Every enemy contract made before the commencement of the present war is hereby declared to be and to have been null and void, as from the commencement of the present war, as regards all rights and obligations thereunder except such rights and obligations as relate to goods which had already been delivered or acts which had already been performed at that time, or such as arise out of, or in consideration for, such delivery or performance.

(vi.) Every enemy contract made before or after the commencement of this Act, during the continuance of the present war, is hereby declared to be null and void, and of no effect whatever.

4. (i.) Either party to a contract to which this section applies may, by notice in writing to the other party, terminate the contract as regards all rights and obligations relating to any future supply or delivery under the contract.

(ii.) A contract to which this section applies is any contract for the sale or delivery of goods, the performance of which—

(a) Is by operation of law or by the terms of the contract suspended, or

(b) Is or may be by act of a party suspended, or

(c) Is claimed by the party against whom the notice is given to be suspended, during or on account of the present war.

(iii.) A notice of termination of a contract, given before the passing of this Act, shall be as good and effective to terminate the contract as if this Act had been passed before the notice was given.

(iv.) No action shall be brought against any party to a contract, to which this section applies, by reason of any non-performance of the contract after the commencement of the war.

§ 7. Internment of Enemy Subjects.

The following table shews the estimated number of male enemy subjects (natives of Germany, Austria-Hungary, and Turkey, whether naturalised or otherwise, but exclusive of persons of British parentage), in each State at the 31st July, 1914, the estimated number naturalised, and also the number interned in each military district at 27th May, 1915. While the States and military districts are not quite conterminous, they approximate sufficiently to admit of the comparison :—

MALE ENEMY SUBJECTS IN THE COMMONWEALTH, SHEWING THE NUMBERS NATURALISED AND INTERNED.

State and Military District.	Male Enemy Subjects.*	Number Naturalised.*	Number not Naturalised.*	Number Interned.†
Queensland 1st Military Dist.	8,080	6,640	1,440	137
New South Wales 2nd „ „	6,460	4,330	2,130	1,342
Victoria 3rd „ „	4,920	3,300	1,620	420
South Australia 4th „ „	3,270	2,630	640	355
Western Australia 5th „ „	3,190	1,280	1,910	628
Tasmania 6th „ „	380	320	60	58
 Total 	 26,300	 18,500	 7,800	 2,940

* These figures are based on Census returns, and can only be considered as a rough approximation. † Including a small number of naturalised subjects.

The number of female enemy subjects in the Commonwealth at 31st July, 1914, is estimated at about 12,000.